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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/702,134	10/31/2000	Andrey A. Boukharov	04983.0201.00US00/38-21(5	8935

28381 7590 12/31/2002

ARNOLD & PORTER  
IP DOCKETING DEPARTMENT; RM 1126(b)  
555 12TH STREET, N.W.  
WASHINGTON, DC 20004-1206

EXAMINER

JOHANNSEN, DIANA B

ART UNIT	PAPER NUMBER
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1634

DATE MAILED: 12/31/2002

8

Please find below and/or attached an Office communication concerning this application or proceeding.

***Notice of Non-Responsive Response to Election Requirement***

1. The reply filed on October 2, 2002, paper no. 7, is not fully responsive to the prior Office Action because of the following omission(s) or matter(s). See 37 CFR 1.111.
2. The Election/Restriction of paper no. 5 stated that:

**....Applicants must elect a single SEQ ID NO or elect nucleic acids encoding a single protein selected from Table 1.** If a single SEQ ID NO is elected, Applicants should further identify the protein of Table 1, if any, that corresponds to the elected invention. If Applicants elect nucleic acids encoding a single protein of Table 1, Applicants should further identify the SEQ ID NO or SEQ ID NOS that encode that protein.

Applicant is advised that a reply to this requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims readable thereon, including any claims subsequently added.

3. In the Response of paper no. 7, applicants provisionally elected SEQ ID NO: 7212. The Response indicates that claims 1-4 are directed to nucleic acids having this sequence. The Response further states that "SEQ ID NO: 7212 corresponds to a probable gibberellin C-20 oxidase," and indicates that claims 5-7 read on such a nucleic acid, which is set forth in Table 1. However, an inspection of Table 1 indicates that the approximately 69 kb nucleic acid of SEQ ID NO: 7212 includes several possible open reading frames encoding a variety of distinct proteins, of which the possible gibberellin C-20 oxidase is only one. It is not clear from Applicants' response as to whether applicant wishes to elect SEQ ID NO: 7212 (i.e., a molecule encoding several distinct proteins) or whether applicant wishes to elect nucleic acids encoding a particular protein of Table 1 (nucleic acids encoding gibberellin C-20 oxidase). Clarification is required prior to examination of the instant application. Applicant is advised that a reply to this requirement must include an identification of the species that is elected consonant with

Art Unit: 1634

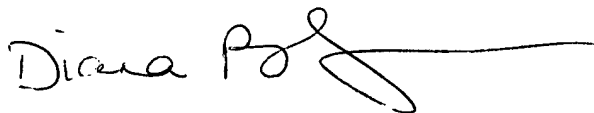
this requirement, and a listing of all claims readable thereon, including any claims subsequently added.

4. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Diana B. Johannsen whose telephone number is 703/305-0761. The examiner can normally be reached on Monday-Friday, 7:30 am-4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, W. Gary Jones can be reached at 703/308-1152. The fax phone numbers for the organization where this application or proceeding is assigned are 703/872-9306 for regular communications and 703/872-9307 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703/308-0196.

A handwritten signature in black ink, appearing to read "Diana B. Johannsen", with a long horizontal flourish extending to the right.

Diana B. Johannsen  
December 29, 2002